



# PUBLIC NOTICE

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## **INTERNATIONAL BUREAU RELEASES UPDATED LIST OF INCUMBENT EARTH STATIONS IN THE 3.7-4.2 GHZ BAND IN THE CONTIGUOUS UNITED STATES**

**IB Docket No. 20-205**  
**GN Docket No. 20-305**

1. With this Public Notice, the International Bureau (the Bureau) releases an updated list of those Fixed Satellite Service (FSS) earth stations in the 3.7-4.2 GHz band (C-band) within the contiguous United States that the Bureau has found satisfy the criteria to be classified as incumbent earth stations for purposes of the C-band transition.<sup>1</sup>

2. In the *3.7 GHz Band Report and Order* the Commission defined the criteria that earth stations must satisfy to be eligible as incumbent earth stations to receive reimbursement for their reasonable relocation costs.<sup>2</sup> Specifically, incumbent earth stations are those FSS earth stations that have demonstrated that they meet the following requirements:

- (1) The FSS earth station must have been operational as of the April 19, 2018 filing freeze and remain operational; and must have been registered (receive-only) or licensed (transmit/receive) in the 3700-4200 MHz band.
- (2) If the FSS earth station was unregistered or unlicensed before April 19, 2018, its registration or license applications must have been filed by November 7, 2018.<sup>3</sup>
- (3) If the FSS earth station was registered or licensed before April 19, 2018, the registrant or licensee must have:
  - a. Certified the accuracy of the registration/license information in IBFS by May 28, 2019; or
  - b. Filed a modification/update to the registration or license in IBFS during the April 19, 2018 to November 7, 2018 filing window; or
  - c. Filed a timely renewal application for the existing registration or license by May 28, 2019.<sup>4</sup>

3. The *3.7 GHz Band Report and Order* directed the Bureau to complete the processing of all earth station license or registration applications (whether for an initial grant, modification, or renewal)

<sup>1</sup> See 47 CFR § 27.1411(b)(3). The C-band transition is not occurring outside the contiguous United States, but U.S. licensed or registered earth stations in those locations may seek reimbursement of costs directly related to the transition if they satisfy the criteria for incumbent earth station status. Those earth stations, however, are not eligible to elect lump sum payments.

<sup>2</sup> *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Order of Proposed Modification, 35 FCC Rcd 2343, 2391, paras. 116-23 (2020) (*3.7 GHz Band Report and Order*). The *3.7 GHz Band Report and Order* specifically rejected a request to open an additional earth station filing window. *Id.* at 2391, paras. 120-21.

<sup>3</sup> *3.7 GHz Report and Order*, 35 FCC Rcd at 2391, para. 116.

<sup>4</sup> *Id.* at 2391, para. 117; 47 CFR § 27.1411(b)(3) (defining incumbent earth stations); 47 CFR § 25.121 (describing earth station renewal requirements). See also *August 3 Incumbent Earth Station PN* at 2.

that were filed during the limited freeze window.<sup>5</sup> On August 3, 2020, the Bureau released a list of those FSS earth stations in the 3.7-4.2 GHz band in the contiguous United States (*August 3 Incumbent Earth Station PN*) that the Bureau found satisfy the criteria to be classified as incumbent earth stations for purposes of the C-band band transition.<sup>6</sup>

4. The Bureau has reviewed the status of all earth stations in IBFS with active or pending licenses or registrations to receive in the 3.7-4.2 GHz band. The Bureau has processed the applications that were timely filed during the earth station freeze.<sup>7</sup> The list attached to this Public Notice includes all such earth stations that the Bureau has determined satisfy the incumbent earth station criteria.<sup>8</sup> Unlike the previous list, the attached list does not include any pending applications to register earth stations that are in red light status (because the applicant owes an outstanding debt). The updated list attached to this Public Notice also reflects a variety of changes to earth station registration, including address or coordinate corrections, registration assignments, and other updates since the *August 3 Incumbent Earth Station PN*. The Bureau has not included on the list those earth stations for which it has dismissed applications as not meeting the criteria for incumbent status. The Bureau also has not included earth stations with authorizations classified as transmit-only in the 5.925-6.425 GHz portion of the C-band that do not include reception in the 3.7-4.2 GHz band.<sup>9</sup>

5. In addition, several commenters have provided the Bureau with notice of earth stations that are no longer in use or have advised that entries on the *August 3 Incumbent Earth Station PN* list were duplicative.<sup>10</sup> Where all of the earth stations on a callsign are affected, the Bureau has processed these notices as surrender notices or has dismissed the underlying authorizations on delegated authority, and has removed any duplications.<sup>11</sup> The list should reflect these changes. As a reminder, all incumbent earth stations that continue to operate in the C-band during the transition or in the 4.0-4.2 GHz band afterwards must maintain a valid registration in IBFS; incumbent earth stations that terminate their operations in the C-band, whether as part of their lump sum election or independently, are required pursuant to the Commission's rules to notify the Commission when those earth stations are no longer operational.<sup>12</sup>

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<sup>5</sup> *3.7 GHz Report and Order*, 35 FCC Rcd at 2393-94, para. 122. Similarly, the Bureau is charged with assessing whether certifications were filed on a timely basis.

<sup>6</sup> See *International Bureau Releases List of Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States*, Public Notice, DA 20-823 (Aug. 3, 2020) (*August 3 Incumbent Earth Station List PN*).

<sup>7</sup> A limited number of applications that appear on the attached list remain pending because they appeared on a Bureau Accepted for Filing Public Notice fewer than 30 days ago and so are not yet ripe for final determination.

<sup>8</sup> Any earth station registrations that fail to qualify for incumbent status will be removed as an active registration from IBFS. See *3.7 GHz Report and Order*, 35 FCC Rcd at 2394, para. 123.

<sup>9</sup> See Comments of PSSI Global Services, L.L.C. at 3 (filed July 16, 2020) (listing E110081, E130075, E920096, E080053, E090175, E080052, and E980388). Authorizations to transmit in the 5.925-6.425 GHz band are unaffected.

<sup>10</sup> See, e.g., Letter from Mark J. Palchick, Counsel for Massillon, to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Oct. 14, 2020).

<sup>11</sup> See, e.g., International Bureau Report No. SES-02295, Satellite Communications Services Information Re: Action Taken (Oct. 1, 2020); International Bureau Report No. SES-02298, Satellite Communications Services Information Re: Action Taken (Oct. 7, 2020); and International Bureau Report No. SES-02309, Satellite Communications Services Information Re: Action Taken (Oct. 14, 2020). Where notices state that some, but not all, of the earth stations on a callsign are no longer operational, the Bureau has processed the notices by removing those earth stations as valid antennas under the callsign.

<sup>12</sup> 47 CFR § 25.115(b)(8).

6. For ease of identification, the list of earth stations includes the following information from the IBFS database: (1) Licensee/Registrant/Applicant name; (2) Earth Station Callsign; (3) Site ID; (4) Antenna ID; (5) number of antennas/dishes associated with that Antenna ID; (6) site address; (7) GPS coordinates of the antenna; and (8) File Number(s) of current authorization and/or pending application.<sup>13</sup>

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<sup>13</sup> Certain C-band certifications were timely filed in association with File Numbers that have since been superseded by later filings; in the list, those earth stations can be identified by the subsequent File Number. The status of an earth station antenna under the *3.7 GHz Report and Order* pertains only to the reception of satellite transmissions on 3.7-4.2 GHz by fixed earth stations and transportable (temporary fixed) earth stations. Authorizations to transmit and receive transmissions on other satellite frequencies, including the 5.925-6.425 GHz portion of the C-Band, are unaffected. Finally, under the terms of the *3.7 GHz Band Report and Order*, authorizations to receive transmissions in 3.7-4.2 GHz for other Classes of Earth Stations (e.g., Earth Stations on Vessels, Blanket-Licensed Earth Stations) are not eligible to become incumbent earth stations. *3.7 GHz Report and Order*, 35 FCC Rcd at 2391, paras. 122-23.